

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HECTOR PAYAN-CRUZ, *et al.*,

Defendants.

CASE NO. CR18-0278-JCC

ORDER

This matter comes before the Court on Defendants Hector Payan-Cruz and Kevin Aguilar-Mendoza's unopposed motion to continue trial (Dkt. No. 44) and Defendants' speedy trial waivers (Dkt. Nos. 45–47). Having thoroughly considered the motion and the relevant record, the Court FINDS that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for Defendants the reasonable time necessary for effective preparation, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

(c) this case is sufficiently complex that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the current time limits, as set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

1 (d) the ends of justice will be best served by a continuance, and the ends of justice
2 outweigh the best interests of the public and Defendants in any speedier trial, as set forth in 18
3 U.S.C. § 3161(h)(7)(A).

4 Therefore, the Court GRANTS Defendants' unopposed motion (Dkt. No. 44). Trial in the
5 above-captioned matter is CONTINUED from April 15, 2019 to June 24, 2019 at 9:30 a.m. The
6 Court FINDS that the period of delay from the date of this order to the new trial date is
7 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv). All pretrial motions
8 shall be filed no later than May 17, 2019.

9 DATED this 26th day of March 2019.

10
11
12 

13 John C. Coughenour
14 UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23
24
25
26